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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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10 RAY LEE VAUGHN,) 1:01-cv-05241-OWW-DLB-HC
11 Petitioner,)
12 v.) **ORDER ADOPTING AMENDED AND
13 D. ADAMS,) CORRECTED FINDINGS AND
14 Respondent.) RECOMMENDATIONS (Doc. 61)**
15 _____)

16 Petitioner is a state prisoner proceeding pro se with a
17 Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254.

18 On May 22, 2006, the Magistrate Judge filed Amended and
19 Corrected Findings and Recommendations that the single claim raised
20 in the instant petition for writ of habeas corpus is not
21 procedurally defaulted, and the State be directed to file an answer
22 to the instant petition within thirty days. These Amended and
23 Corrected Findings and Recommendations were served on all parties
24 and contained notice that any objections were to be filed within
25 fifteen (15) days, and any replies thereto were to be filed within
26 five (5) court days therefrom. On May 24, 2006, Respondent filed
27 objections to the Findings and Recommendations. On May 30, 2006,
28 Petitioner filed a reply thereto.

In accordance with the provisions of 28 U.S.C. § 636
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2 (b) (1) (C), this Court has conducted a *de novo* review of the case.
3 Having carefully reviewed the entire file, including Petitioner's
4 objections, the Court concludes that the Magistrate Judge's
5 Findings and Recommendations is supported by the record and proper
6 analysis. Respondent's objections present no grounds for
7 questioning the Magistrate Judge's analysis

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The Findings and Recommendations, filed May 22, 2006, are
10 ADOPTED IN FULL;

11 2. The single claim raised in the instant petition for writ
12 of habeas corpus is not procedurally defaulted; and,

13 3. The State shall file an answer to the instant petition
14 within **thirty (30) days** from the date of service of this order.

15 | IT IS SO ORDERED.

16 Dated: June 24, 2006
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE